



P.B.5818 - Patentlaan 2  
2280 HV Rijswijk (ZH)  
☎ +31 70 340 2040  
TX 31651 epo nl  
FAX +31 70 340 3016

Europäisches  
Patentamt

Zweigstelle  
in Den Haag  
Recherchen-  
abteilung

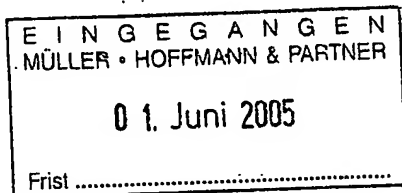
European  
Patent Office

Branch at  
The Hague  
Search  
division

Office européen  
des brevets

Département à  
La Haye  
Division de la  
recherche

☐ Müller - Hoffmann & Partner  
Patentanwälte,  
Innere Wiener Strasse 17  
81667 München  
ALLEMAGNE



Datum/Date

31.05.2005

Zeichen/Ref./Réf.  
53800 Gö/se

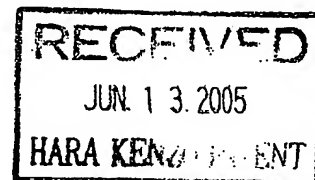
Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.  
01904487.4

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire  
Biochem Industrial Co. Ltd.

## COMMUNICATION

The European Patent Office herewith transmits

- ☐ the European search report
- ☐ the declaration under Rule 45 EPC
- ☐ the partial European search report under Rule 45 EPC
- ☒ the supplementary European search report concerning the international application under Article 157(2) EPC relating to the above-mentioned European patent application. Copies of the documents cited in the search report are enclosed.



The following specifications given by the applicant have been approved by the Search Division :

- ☐ Abstract ☐ Title ☐ Figure
  - ☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.
  - ☐ The following figure will be published with the abstract, since the Search Division considers that it better characterises the invention than the one indicated by the applicant.
- Figure:
- ☒ Additional copy(copies) of the documents cited in the European search report.

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



EPO Form 1507 02.93




European Patent  
Office

**SUPPLEMENTARY  
EUROPEAN SEARCH REPORT**

Application Number  
**EP 01 90 4487**

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	US 5 158 939 A (TAKAYAMA ET AL) 27 October 1992 (1992-10-27) * column 3, lines 1-25; claims 4,5 * * column 5, lines 3-25 * -----	2-4,6-10	C12N1/20 A23L1/30 C12P19/04 C12P39/00 C12R1/01
X	HUANG Z ET AL: "STUDIES ON POLYSACCHARIDES FROM THREE EDIBLE SPECIES OF NOSTOC (CYANOBACTERIA) WITH DIFFERENT COLONY MORPHOLOGIES: COMPARISON OF MONOSACCHARIDE COMPOSITIONS AND VISCOSITIES OF POLYSACCHARIDES FROM FIELD COLONIES AND SUSPENSION CULTURES" JOURNAL OF PHYCOLOGY, PHYCOLOGICAL SOCIETY OF AERICA, NEW YORK, NY, US, vol. 34, no. 6, 1998, pages 962-968, XP001095521 ISSN: 0022-3646 * abstract; table 1 * * page 963, column 1, paragraph 2 * -----	2,6-10	
X	DATABASE BIOSIS 'Online! BIOSCIENCES INFORMATION SERVICE, PHILADELPHIA, PA, US; May 1999 (1999-05), WATANABE MASANORI ET AL: "Flocculating property of extracellular polymeric substance derived from a marine photosynthetic bacterium, Rhodovulum sp" XP002327481 Database accession no. PREV199900432460 * abstract * & JOURNAL OF BIOSCIENCE AND BIOENGINEERING, vol. 87, no. 5, May 1999 (1999-05), pages 625-629, ISSN: 1389-1723 -----	2,7-10	TECHNICAL FIELDS SEARCHED (Int.Cl.7)  A23L C12N C12P C12R
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search <b>Munich</b>		Date of completion of the search <b>9 May 2005</b>	Examiner <b>Heirbaut, M</b>
<b>CATEGORY OF CITED DOCUMENTS</b>  X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document  T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons  & : member of the same patent family, corresponding document			



### CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing more than ten claims.

- ☐ Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims and for those claims for which claims fees have been paid, namely claim(s):
- ☐ No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims.

### LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

- ☒ All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.
- ☐ As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.
- ☐ Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:
- ☐ None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. claims: 1, 5

Rhodopseudomonas capsulatas FERMBP-7434 and health foods  
comprising viscous metabolic products obtainable by  
incubating it

---

2. claims: 2-4, 6-10

Health foods comprising viscous metabolic products  
obtainable by incubating a photosynthetic bacterium

---

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 01 90 4487

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.  
The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

09-05-2005

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5158939	A	27-10-1992	US 5041427 A	20-08-1991
			AT 164517 T	15-04-1998
			AU 6051790 A	22-02-1991
			DE 69032206 D1	07-05-1998
			DE 69032206 T2	23-07-1998
			DK 466838 T3	27-04-1998
			EP 0466838 A1	22-01-1992
			ES 2113861 T3	16-05-1998
			JP 4503363 T	18-06-1992
			WO 9101134 A1	07-02-1991
<hr/>				